

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference <b>20030959</b>	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. <b>PCT/FI2004/000395</b>	International filing date (day/month/year) <b>28-06-2004</b>	Priority date (day/month/year) <b>27-06-2003</b>
International Patent Classification (IPC) or national classification and IPC <b>H05B 37/02, H05B 33/02</b>		
Applicant <b>Planmeca Oy et al</b>		

  

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 20%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand <b>27-01-2005</b>	Date of completion of this report <b>25-02-2005</b>
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer  <b>Sara Thulin/MN</b> Telephone No. +46 8 782 25 00

Form PCT/IPEA/409 (cover sheet) (January 2004)

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI2004/000395

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))  
☐ publication of the international application (under Rule 12.4)  
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ the international application as originally filed/furnished

☐ the description:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☐ the claims:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☐ the drawings:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (specify): \_\_\_\_\_

☐ any table(s) related to the sequence listing (specify): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (specify): \_\_\_\_\_

☐ any table(s) related to the sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI2004/000395

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	<u>1-24</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-24</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-24</u>	YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

Documents cited in the International Search Report:

D1: WO 2004/025998 A2

D2: WO 2004/060024 A1

D3: US 2003/0072147 A1

D1 and D2 are of no relevance since the priority is considered valid.

Document D3 discloses an illumination device comprising LEDs in three different colours, used in a freezer. Control means is used to control each colour.

The objective of invention according to claims 1-24 is to provide a solution for maintaining a constant/desired colour temperature.

This is not disclosed in D3.

The invention according to claims 1-24 is new and is also considered to involve an inventive step. The invention is industrially applicable.

PCT/FI2004/000395

#### REMARKS

Regarding documents D1 and D2, they are published after the priority date of the current application. Novelty but no inventive step over teachings of such documents is to be required. Further, teachings of such documents cannot be combined with teachings of any other document(s).

The outcome of the simple fact that neither D1 nor D2 discloses anything in relation to (dental) operation lights, whereas the claimed invention concerns an operation light and a method for controlling colour temperature of an operation light, is that the claimed invention is novel over both of them. Therefore, there is no need for going into any further with differences between the claimed invention and teachings of D1 and D2, respectively.

D3 discusses illumination of a freezer, not an operation light. It does teach that production of individual colours may be adjusted, but is silent on e.g. controlling of individual LED components, of whatever colour, by adjustable power sources. Nothing regarding (adjustable) power sources arranged for an individual LED / individual LEDs, of an operation light, can be found from D3.

The objective of the claimed invention is, especially, to provide a solution for maintaining a constant/desired colour temperature of an operation light, by arranging for at least one of the individual LED components used in the light an adjustable power source. D3 does not even address such a problem, and does not teach nor anticipate the claimed solution.

Teachings of D1 and D2, whatever they may be, cannot be combined with teachings of either each other, or with that of D3.

The claimed invention is industrially applicable, novel over D1, D2 and D3, and involves an inventive step over D3. Whether there is or not an inventive step with respect to D1 and D2 is no issue, as no inventive step over them is required even.

Helsinki 27.1.2005

Planmeca Group



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Corporate Patent Manager